IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28728 of 2008
MD.SHAMSUL son of late Asabul, resident of village-Wajidpur, P.S.- Barsoi, District- Katihar.
Versus
STATE OF BIHAR
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3. 5.12.2008. Heard learned counsel for the petitioner and the State.

Informant's daughter Khalida Khatoon aged about 14-15 years was raped by this petitioner and three others, namely, Md.Asif, Md.Amin and Md.Taiyab. The case was registered under sections 376 and 323 of the Indian Penal Code.

On 8.10.2007 the informant's daughter went with Md.Amin and thereafter she did not return. It appears that later on her dead body was found in a field.

Allegation is that it was Md.Amin who had taken away the informant's daughter and later on her dead body was found.

Submission is that the case of the petitioner is identical to that of Md.Taiyab, who has been granted bail on 30.6.2008 in Cr.Misc. No.18136 of 2008.

Considering the facts and circumstances of the case the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Barsoi P.S.Csase No.148 of 2007.

Md.S. **(Shyam Kishore Sharma,J.)**

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